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Dec. 3 1998

PAT. & T.M. OFFICE
 BOARD OF PATENT APPEALS
 AND INTERFERENCES
 DECISION ON

In re Application of
 ALAN N SCHWARTZ et al.
 Serial No. 08/794,154
 Filed: February 3, 1997
 For: GOGGLES WITH PLIABLE AND RESILIENT
 SEALING PAD

This in response to the petition filed October 15, 1998,
 requesting that the above identified application be remanded to
 the Examiner, for entry of an amendment. The petition is
 GRANTED.

Applicants request that the application be remanded so the
 examiner can enter an examiner's amendment, canceling claims 13,
 14, 48 and 49. There is, however, no indication that the examiner
 upon receipt of the application, will enter an examiner's
 amendment. However, on November 30, 1998, Mr. Dale M. Shaw, a
 Program and Resource Administrator of the Board of Patent Appeals
 and Interferences, consulted with Examiner Nerbun, and it was
 determined that it would be in the best interest of the
 application to remand the file back to the examiner.
 Accordingly, the petition for remand is GRANTED.

PETITION GRANTED.

Bruce H. Stoner, Jr.
 Chief Administrative Patent Judge
 Board of Patent Appeals and Interference
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